

U.S.A. vs SUSANO Valtierres-Rubio

No.

08 MJ 1451

The Court finds excludable delay, under the section indicated by check (✓),
commenced on 5/9/08 and ended on 5/12/08; ()
() and ended on ().

3161(h)

(1) (A) Exam or hrg for **mental or physical incapacity** A
(1) (B) **NARA examination** (28:2902) B
(1) (D) State or Federal trials or **other charges pending** C
(1) (E) **Interlocutory appeals** D
(1) (F) **Pretrial motions** (from flg to hrg or other prompt dispo) E
(1) (G) **Transfers from other district** (per FRCrP 20, 21 & 40) F
(1) (J) **Proceedings under advisement** not to exceed thirty days G
() Misc proc: Parole or prob rev, deportation, **extradition** H
(1) (H) **Transportation** from another district or to/from examination 6 or hospitalization in ten days or less
(1) (I) Consideration by Court of **proposed plea agreement** 7
(2) **Prosecution deferred** by mutual agreement I
✓ (3) (A) (B) **Unavailability of defendant or essential witness** in *hospt* M
(4) Period of **mental or physical incompetence** of defendant to stand trial N
(5) Period of **NARA commitment or treatment** O
(6) **Superseding indictment and/or new charges** P
(7) **Defendant awaiting trial of co-defendant** when no severance has been granted R
(8) (A) (B) **Continuances granted per (h) (8)** -use "T" alone if more than one of the reasons below are given in support of continuance T
(8) (B) (I) 1) Failure to grant a **continuance** in the proceeding would result in a **m miscarriage of justice** and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. (Continuance - **m miscarriage of justice**) T1
2) Failure to grant a **continuance** of the trial would result in a **m miscarriage of justice** as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (Continuance - **tendered a guilty plea**) T2
(8) (B) (ii) 2) **Case unusual or complex** T3
(8) (B) (iii) 3) **Indictment following arrest cannot be filed** in thirty (30) days T4
(8) (B) (iv) 4) **Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare** (Continuance re counsel) U
3161(I) Time up to **withdrawal of guilty plea** W
3161(b) **Grand jury indictment time extended** thirty (30) more days

Date 5/9/08


Judge's Initials